

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

CLYDE W. CONKLIN, JOHN INGLIS, E. H.
KUNKEL

of Star Rt., Box 196-H, Winston, State of Oregon, 97496, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Hopkins Gulch, unnamed draw and reservoirs constructed under Permit No. R-1058

a tributary of Stearling Creek for the purpose of irrigation of 15.7 acres and domestic use for one family

under Permit No. 19669 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 31, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.185~~ cubic foot per second, being 0.13 c.f.s. for irrigation, 0.01 c.f.s. for domestic from Hopkins Gulch and reservoir, and 0.055 c.f.s. from unnamed draw and reservoir for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 38 S. R. 2 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from April 2 to October 21 from direct flow and storage from reservoir constructed under Permit No. R-1058.

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Hopkins Gulch & Reservoir ¹²

3.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

Domestic SE $\frac{1}{4}$ SE $\frac{1}{4}$

Unnamed Draw & Reservoir ¹²

2.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

2.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Hopkins Gulch & Both Reservoirs ¹²

1.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

5.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

0.4 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

T. 38 S., R. 2 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded on page 28318, Volume 20, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 20, 1971, approving transfer application No. 2414. It also confirms a change in place of use approved by the same order and correctly describes the area of use which was erroneously described in said certificate.

Although this certificate supersedes certificate 28318, it does not confirm the status of the water right with reference to ORS 540.610.

This certificate is issued to supersede certificate of water right recorded on page 45502, Volume 38, SRWRC, so as to correctly describe the quantity of water. It also describes that portion of the water right NOT canceled by the provisions of an order of the WRD entered on November 18, 1977

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610

WITNESS the signature of the Water Resources Director,

this date. May 1, 1978

James E. Saxon
Water Resources Director

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF JOHN INGLIS AND FREDERIC D.)
SPERRY, JR. FOR THE APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
FROM HOPKINS GULCH AND HOPKINS)
GULCH RESERVOIR)

ORDER APPROVING
TRANSFER NO. 2414

On July 8, 1970, John Inglis and Frederic D. Sperry, Jr. filed an application in the office of the State Engineer for the approval of a change in place of use of water from Hopkins Gulch and Hopkins Gulch Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Albert Nelson and recorded at page 28318, Volume 20, State Record of Water Right Certificates, confirms a right to the use of 0.21 cubic foot per second of the waters of Hopkins Gulch and Hopkins Gulch Reservoir for the irrigation of, among other lands, 2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.8 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 8.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 38 South, Range 2 West, W.M., with a date of priority of May 31, 1950.

The applicants herein, mortgagors of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 11.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 38 South, Range 2 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a statement to the effect that the proposed change in place of

use of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.8 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 8.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 38 South, Range 2 West, W.M., with a date of priority of May 31, 1950, be severed therefrom and simultaneously and without loss of priority transferred to 11.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 38 South, Range 2 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that certificate of water right heretofore issued to Albert Nelson and recorded at page 28318, Volume 20, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to John Inglis and Frederic D. Sperry, Jr. confirming the extent to which the water has been applied beneficially and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 20th day of January, 1971.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ALBERT NELSON

of Rt. 2, Box 12, Jacksonville, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Hopkins Gulch, unnamed draw and reservoirs constructed under Application No. R-24784, Permit No. R-1058, a tributary of Stearling Creek (Little Applegate) for the purpose of irrigation of 21.8 acres and domestic use 1 family

under Permit No. 19669 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 31, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.28 cubic foot per second, being 0.21 c.f.s. for irrigation, 0.01 c.f.s. for domestic from Hopkins Gulch and reservoir, and 0.06 c.f.s. from unnamed draw and reservoir for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 38 S., R. 2 W., W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season from April 2 to October 31, of each year from direct flow and storage from reservoir constructed under Permit No., R-1058,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Hopkins Gulch & Reservoir

2.4 acres

0.8 acre

4.2 acres

8.8 acres and domestic

16.2

Unnamed Gulch & Reservoir

4.0 acres

1.2 acres

0.1 acre

0.3 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

T. 38 S., R. 2 W., W.M.

STATE OF OREGON
COUNTY OF JACKSON

Superseded by

Cert. No. _____

Trs. Sp. Or. 20 360

CERTIFICATE OF WATER RIGHT

Clyde W. Conklin, John Inglis, E. H. Kunkel

This Is to Certify, That **ALBERT NELSON**
Star Rt Box 196-H Winston
of Rt. 2, Box 12, Jacksonville, State of Oregon 97496, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Hopkins Gulch, unnamed draw, and reservoirs constructed under Application No.
R-21784, Permit No. R-1058
a tributary of Stearling Creek (Little Applegate) for the purpose of
irrigation of 21.8 acres and domestic use 1 family
15.7
under Permit No. 19669 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from May 31, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.185 0.28 cubic foot per second, being 0.21 c.f.s. for irrigation, 0.01 c.f.s. for
domestic from Hopkins Gulch and reservoir, and 0.06 c.f.s. from unnamed draw and
reservoir for irrigation 0.055

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 38 S.,
R. 2 W., W.M.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated from direct flow and shall be
further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre feet per acre for each
acre irrigated during the irrigation season from April 2 to October 31, of each
year from direct flow and storage from reservoir constructed under Permit No.,
R-1058,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

from Hopkins Gulch & Reservoir

2.4 302.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

0.8 0.8 acres

4.2 4.2 acres

8.4 8.8 acres and domestic SE $\frac{1}{4}$ SE $\frac{1}{4}$

15.8

Unnamed Gulch & Reservoir

2.4 4.0 acres

2.0 1.2 acres

0.1 acre

0.3 acres

cancel autho
V. 30 P 67

NE $\frac{1}{4}$ SW $\frac{1}{4}$

SE $\frac{1}{4}$ SW $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$

SW $\frac{1}{4}$ SE $\frac{1}{4}$

SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

T. 38 S., R. 2 W., W.M.

Hopkins Gulch & Both Reservoirs

1.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

5.8 SE $\frac{1}{4}$ SW $\frac{1}{4}$

0.4 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec 32

This certificate describes that portion of the water right confirmed by the prior certificate recorded on page 28318, Volume 20, SRWRC, Not modified by the provisions of an order of the WRD entered on January 20, 1971 approving transfer number 2414. It also confirms a change in place of use approved by the same order & correctly describes the area of use which was erroneously described in said certificate. Although this certificate supersedes certificate 28318, it does not confirm the status of the water right ^{with} reference to ORS 540.610.

STATE OF OREGON

COUNTY OF JACKSON

Superseded by

Cert. No. _____

Trs. Sp. Or. 20,360

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Clyde W. Conklin, John Inglis, E.H. Kunkel

Star Route, Box 196 H, Winston
 of Rt. 2, Box 12, ~~Jacksonville~~, State of Oregon 97496
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 Hopkins Gulch, unnamed draw and reservoirs constructed under Application No.
 R-24784, Permit No. R-1058
 a tributary of Stearling Creek (Little Applegate) for the purpose of
 irrigation of ~~21.8~~ acres and domestic use 1 family

under Permit No. 19669 of the State Engineer, and that said right to the use of said waters
 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
 confirmed dates from May 31, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
~~0.28~~ cubic foot per second, being ~~0.21~~ c.f.s. for irrigation, ~~0.01~~ c.f.s. for
 domestic from Hopkins Gulch and reservoir, and ~~0.06~~ c.f.s. from unnamed draw and
 reservoir for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, T. 38 S.,
 R. 2 W., W.M. Div. P1s loc. 1905 ft N. & 310 ft W.; 1560 ft. N. & 900 ft W.; 840 ft. N
 & 870 ft. E; 500 ft N & 1890 ft. E; all from the S $\frac{1}{4}$ Cor. Sec. 32

The amount of water used for irrigation, together with the amount secured under any other
 right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
 per acre, or its equivalent for each acre irrigated from direct flow and shall be
 further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre feet per acre for each
 acre irrigated during the irrigation season from April 2 to October 31, of each
 year from direct flow and storage from reservoir constructed under Permit No.,
 R-1058,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is
 appurtenant, is as follows:

Hopkins Gulch & Reservoir3.0 ~~2.4~~ acres

0.8 acre

~~4.2~~ acres0.4 ~~8.8~~ acres and domesticUnnamed Gulch & Reservoir2.4 ~~4.0~~ acres2.8 ~~1.2~~ acres

0.1 acre

0.3 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ~~Section 32~~

T. 38 S., R. 2 W., W.M.

Hopkins Gulch & Both Reservoirs

1.3

5.8

Hopkins Gulch

Domestic

NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 32

T. 38 S., R. 2 W., W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
 use herein described.

This Cert confirms a change in the right to the use of water approved by order
 entered Jan 20, 1971 and Supersedes Cert. recorded at page 28318 Vol 20,
 WITNESS the signature of the State Engineer, affixed

this date. MARCH 10 1981

LEWIS A. STANLEY

State Engineer